



## **Board of Zoning Appeals**

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

**July 23, 2018**

**9:30**

**Calendar No. 18-147**

**2240 East 89 St.**

**Ward 6**

**Blaine A. Griffin**

**28 Notices**

Ruth Tate, owner, and North Shore Adult Care, lessee, proposes to establish use as a state licensed Residential Facility for fourteen residents in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.571 which states that a "residential Facility" means a publicly or privately operated home or facility, licensed pursuant to state law, that provides accommodations, supervision, and personal care services to any of the following:: (a) one (1) or two (2) unrelated persons with mental illness; (b) one (1) or two (2) unrelated adults who are receiving residential state supplement payments as defined in the Ohio Revised Code; or (c) three (3) to sixteen (16) unrelated adults.
2. Section 337.02(h) which states that a residential facility, as defined in Chapter 325 of this Zoning Code, for more than five residents, is not permitted in a Two-Family Residential District. Per section 337.08(g), the use is first permitted in a Multi-family Residential District only as a conditional use. The City Planning Commission shall approve a residential facility as a conditional use in a Multi-Family District only when the residential facility is located not less than one thousand (1,000) feet from another residential facility and only if the City Planning Commission determines that the conditional use meets the following zoning and architectural criteria: (1) the architectural design and site layout of the home and the location, nature and height of any walls, screens and fences are compatible with adjoining land uses and the residential character of the neighborhood, as may be specified in applicable Zoning code regulations for Multi- Family District; and 92) the use complies with all applicable yard, parking and sign regulations in this Zoning Code for Multi-Family Districts. Proposed use is within 1,000 feet of a residential facility at 2258 East 93 St., (Juniper Tree Adult Family Home). (Filed June 27, 2018)

**9:30**

**Calendar No. 18-153:**

**4610 Clinton Ave.**

**Ward 3**

**Kerry McCormack**

**14 Notices**

Cleveland Bricks, owner, proposes to build a new three story single family residential home on a newly proposed 4,450 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 342.01(b) which states that the maximum height permitted is 35 feet and the appellant is proposing 37 feet.

2. Section 355.04 which states that the minimum lot area required is 4,800 square feet for a single family residence and a 4,450 square foot lot is proposed. This section also states that the maximum gross floor area allowed is 2,225 square feet and the proposed gross floor area is 2,840 square feet.
3. Section 357.09(b)(2)(A) which states that the required aggregate width of side yards is 18.75 feet and the proposed aggregate side yards are 11 feet. This section also states that no building shall be erected less than ten feet from a main building on an adjoining lot; an existing residence is approximately 7 ½ from the proposed new building.
4. Section 357.13(b)(4) which states that an open porch projecting not more than six (6) feet is a permitted front yard encroachment; proposed porch dimensions are 8' x 19'. (Filed June 29 2018)

**9:30**

**Calendar No. 18-154:**

**4608 Clinton Ave.**

**Ward 3**

**Kerry McCormack**

**14 Notices**

Cleveland Bricks, owner, proposes to renovate a single family residence on a newly proposed 2200 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.04 which states that one parking space on premises is required for one family residence; there is no access from the right-of-way to proposed parking spaces and access easement is proposed.
2. Section 355.04 which states that the minimum lot area required is 4800 square feet for a one family residence and a 2200 square foot lot is proposed.
3. Section 355.04 which states that the maximum gross floor area allowed is 1200 square feet and the proposed gross floor area is 1460 square feet. (Filed June 29, 2018)

**9:30**

**Calendar No. 18-152:**

**9000 Aetna Ave.**

**Ward 2**

**Kevin L. Bishop**

**36 Notices**

9000 Aetna, owner, proposes to establish use for outside storage/stockpiling of dirt and rock and accessory rock crushing in a B3 General Industry Zoning District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 345.04(b)(15) which states that the Board of Zoning appeals must review and approve the proposed rock/concrete crushing as accessory use.
2. Section 345.03(c)33 which states that any material stored in unenclosed premises to a height greater than four feet above grade level shall be surrounded by a substantial seven feet height wall or fence erected to observe all required building lines.
3. Section 349.07(a) which states that accessory off street parking spaces, driveways and vehicle maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces and surfaced with concrete, asphalt or other acceptable paving material maintained in good condition. No drainage or specific paving detail shown. Driveway and aprons must also be shown on plan. (Filed June 28, 2018)

**9:30**

**Calendar No. 18-156:**

**1967 W. 54 Street**

**Ward 15**

**Matt Zone**

**14 Notices**

Jim Taddeo proposes to erect a 1758 square foot single family house with a detached garage on a Cleveland Land Bank lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the minimum lot area for a single family dwelling in a 'B' Area district is 4800 square feet and the proposed lot area is approximately 3300 square feet.
2. Section 355.04 (a) which state that the minimum lot width for a single family dwelling in a 'B' Area district is 40 feet and 25 feet are proposed.
3. Section 375.02 which states that no yard or court provided for any building or group of buildings for the purposes of complying with the provisions of the Zoning Code shall be reduced or again considered as the yard or court for any other building or additional construction on the same lot or on another lot.
4. Section 357.09(b)(2)(C) which states that no interior side yard on a lot occupied by a dwelling house shall be less than 8 feet in width for a corner lot, nor less than three feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than 10 feet. However, the width of any such interior side yard shall in no case be less than 6 feet 8 inches and a 8 feet are proposed.
5. Section 337.23(a) which states that accessory garage building shall be a minimum of 18 inches from all property lines and at least 10 feet from any main building on an adjoining lot. The proposed garage is on a zero lot line and 3 feet 6 inches to a main building on an adjoining lot.
6. Section 357.09(b)(2)(A) which states that no building shall be erected less than 10 feet from a main building on an adjoining lot and the proposed residence is 5 feet 5 inches to the main building on an adjoining lot.
7. Section 341.02 which states that City Planning Commission approval is required prior to the issuance of a building permit. (Filed July 2, 2018)